

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
v.)
FRANK FAGONE)

Criminal No. 06-10242-RWZ

**INFORMATION FILED PURSUANT TO 21 U.S.C. § 851 REGARDING
PRIOR FELONY DRUG CONVICTION OF DEFENDANT FRANK FAGONE**

COUNT ONE: (Title 21, United States Code, Section 851 – Notice of Prior Conviction)

The United States Attorney Charges that:

1. On or about February 9, 2004, Frank Fagone was convicted in the Barnstable District Court, Docket 0325CR2111A, of conspiring to violate the provision of Massachusetts General Laws Chapter 94C, Section 32A, to distribute or possess with intent to distribute controlled substances.

2. On or about February 9, 2004, Frank Fagone was convicted in the Barnstable District Court, Docket 0325CR4039A, of conspiring to violate the provision of Massachusetts General Laws Chapter 94C, Section 32A, to distribute or possess with intent to distribute controlled substances.

3. On or about February 9, 2004, Frank Fagone was convicted in the Barnstable District Court, Docket 0325CR4057A, of conspiring to violate the provision of Massachusetts General Laws Chapter 94C, Section 32A, to distribute or possess with intent to distribute controlled substances.

4. Frank Fagone has been named as a defendant in an Indictment in the above captioned case.

5. By way of this information, the government notifies Frank Fagone that he is charged with committing the crimes alleged in said Indictment after having been previously convicted of

a felony drug offense as set out in paragraphs 1, 2 and 3, above.

All in keeping with Title 21, United States Code, Section 851(a)(1).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Nancy Rue
NANCY RUE
Assistant U.S. Attorney

Dated: August 18, 2006

CERTIFICATE OF SERVICE

This is to certify that this notice has been served electronically upon counsel for defendant.

/s/ Nancy Rue
NANCY RUE
Assistant U.S. Attorney